

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH J. HESKETH III, on his behalf
and on behalf of other similarly situated
persons,

Plaintiff,

v.

TOTAL RENAL CARE, INC., on its own
behalf and on behalf of other similarly
situated persons,

Defendant.

No. 2:20-cv-01733-JLR

STIPULATION ~~AND PROPOSED~~
~~ORDER~~ EXTENDING CLASS
DISCOVERY DEADLINE FOR LIMITED
PURPOSE AND EXTENDING DEADLINE
TO FILE AMENDED COMPLAINT

NOTE FOR MOTION APRIL 20, 2021

Pursuant to Local Rules W.D. Wash LCR 16(b)(6) and 23(i)(3), Plaintiff Joseph J. Hesketh III and Defendant Total Renal Care, Inc. (together, the "Parties"), hereby jointly stipulate as follows:

1. On December 15, 2020, the Court issued a Rule 16(b) and Rule 23(d)(2) Scheduling Order Regarding Class Certification Motion, which set a deadline to complete discovery on class certification of April 21, 2021 (Dkt. #18). The parties have tried to fit all of the discovery within that time frame but there are still outstanding depositions that the parties have noticed and want to complete.

2. The Plaintiff wants to take the deposition of non-party DaVita. The Parties have not reached final agreement with regard to the deposition topics and documents. The Parties met

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1 and conferred on April 13, 2021 and again on April 19 and 20, 2021. The Parties continue to
 2 work to reach agreement as to the deposition topics. Once agreed, DaVita will need time to
 3 prepare the designated witness, Jeremy Eaves, to testify. **The Parties have agreed to schedule**
 4 **the 30(b)(6) deposition for May 10, 2021.**

5 3. Plaintiff also noted the depositions of Alejandro Bruner-Solas, Jeremy Eaves, and
 6 Kenny Gardner. The need to depose these witnesses may be mooted by the occurrence of the
 7 30(b)(6) deposition(s). Mr. Eaves is the 30(b)(6) deponent. **The Parties have agreed to**
 8 **tentatively schedule the depositions of Mr. Bruner-Solas and Mr. Gardner for May 11,**
 9 **2021, if necessary.**

10 4. On April 12, 2021, this Court issued its Order dismissing two of Plaintiff's
 11 claims without prejudice and providing Plaintiff leave to amend his complaint within 14 days.
 12 **The Parties agree and stipulate to extend the time for Plaintiff to file any Second Amended**
 13 **Complaint until May 12, 2021 by 2:00 p.m.**

14 5. On March 19, 2021, Defendant TRC noted Plaintiff Hesketh's deposition for the
 15 morning of April 20, 2021. **The Parties have agreed Plaintiff's deposition will proceed on**
 16 **May 13.**

17 6. **The Parties agree and stipulate to extend the time to complete discovery on**
 18 **class certification until May 20, 2021,** for the limited purpose of conducting the above-
 19 referenced, previously-noted depositions as needed and for the purpose of providing time after
 20 Mr. Hesketh's May 13 deposition for any follow-up related to his deposition.

21 7. The deadline for filing the motion to certify classes will be extended to June 18,
 22 2021.

23 8. There have been no prior requests to extend the deadline and extending the
 24 deadline as stipulated would not affect any other scheduled dates in the proceeding.

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 STIPULATION AND ~~PROPOSED ORDER~~
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1 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE to the following:

2 The deadline to complete discovery on class certification is extended up to and including
3 May 20, 2021, for the limited purpose of conducting, as needed, the five above-referenced,
4 previously-noted depositions, the deadline for Plaintiff to file his Amended Complaint is
5 extended to May 12, 2021 and the deadline for Plaintiff to file for class certification is extended
6 to June 18, 2021.

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8 Respectfully submitted this 20th day of April 2021.
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STIPULATION AND ~~PROPOSED ORDER~~
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STIPULATION AND ~~PROPOSED ORDER~~
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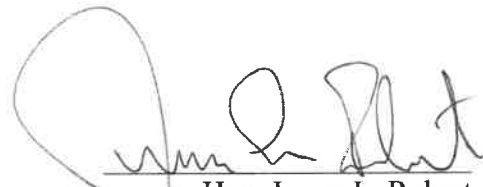
ORDER

PURSUANT TO STIPULATION, the deadline to complete discovery on class certification is extended up to and including May 20, 2021, for the limited purpose of conducting, as needed, the following:

30(b)(6) deposition of Mr. Eaves	May 10, 2021
30(b)(1) deposition of Mr. Gardner and Mr. Bruner-Solas, if needed after 30(b)(6)	May 11, 2021
Deadline for plaintiff to file Second Amended Complaint	May 12, 2021, 2 p.m. PT
Deposition of named plaintiff Mr. Hesketh	May 13, 2021
Deadline for class certification discovery	May 20, 2021
Deadline for class certification motions	June 18, 2021

IT IS SO ORDERED.

DATED this 20th day of April, 2021



Hon. James L. Robart
United States District Court Judge

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STIPULATION AND ~~[PROPOSED ORDER]~~
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